SF-83 SUPPORTING STATEMENT
ENVIRONMENTAL PROTECTION AGENCY
STANDARDS OF PERFORMANCE
National Emission Standard for Beryllium,
40 CFR Part 61, Subpart C

1. Identification of the Information Collection

1(a) Title of the Information Collection

ICR for National Emission Standards for Hazardous Air Pollutants (NESHAP) for Beryllium, 40 CFR Part 61, Subpart C.

2(b) Short Characterization/Abstract

The NESHAP standard for Beryllium was proposed on December 7, 1971 (36 F.R. 23939) and promulgated on April 6, 1973 (38 F.R. 8826). This standard applies to all extraction plants, ceramic plants, foundries, incinerators, and propellant plants which process beryllium ore, beryllium, beryllium oxide, beryllium alloys, or beryllium-containing waste. The standard also applies to machine shops which process beryllium, beryllium oxides, or any alloy when such alloy contains more than five percent beryllium by weight. All sources known to have caused, or to have the potential to cause, dangerous levels of beryllium in the ambient air are covered by the Beryllium NESHAP. This information is being collected to assure compliance with 40 CFR Part 61, Subpart C.

In general, all NESHAP standards require owners or operators of the affected facilities to submit one-time-only notifications including: notification of any physical or operational change to an existing facility which may increase the regulated pollutant emission rate, notification of the initial performance test, including information necessary to determine the conditions of the performance test, and performance test measurements and results. Owners or operators are also required to maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility, or any period during which the monitoring system is inoperative. These notifications, reports, and records are essential in determining compliance, and are required of all sources subject to NESHAP.

Specifically, most facilities subject to 40 CFR Part 61, Subpart C will meet the standard by means of a one-time-only initial stack test. However, those existing facilities that have elected to comply with an alternative ambient air quality limit are required to operate a continuous monitor in the vicinity of the affected facility. The monitoring requirements for these facilities provide information on ambient air quality and ensure that locally, the airborne beryllium concentration does not exceed 0.01 micrograms/m^3. For those complying by ambient monitoring, a monthly report of all measured concentrations shall be submitted to the Administrator.

Any owner or operator subject to the provisions of this part shall maintain a file of these

measurements, and retain the file for at least two years following the date of such measurements, maintenance reports, and records. All reports are sent to the delegated State or Local authority. In the event that there is no such delegated authority, the reports are sent directly to the EPA Regional Office.

Previous ICRs and a telephone consultation with the EPA's Office of Air Quality and Standards indicate that there has been no growth in industry size for the SIC codes affected by the Beryllium NESHAP. There are approximately 236 existing sources subject to this rule. Of the total number of existing sources, we have assumed that approximately 10 sources have elected to comply with this rule by monitoring ambient air beryllium concentrations and the remaining 226 sources have elected to comply with the rule by conducting a one-time only stack test to determine beryllium emission levels. We also assumed that 10 percent of the 226 sources (or 23 respondents) complying with the emission limit standard will engage in an operational change at their facilities that could potentially increase beryllium emissions, and would be required to repeat the stack test to determine the beryllium emission limits, and consequently will have recordkeeping and reporting requirements associated with this activity. No additional sources are expected to become subject to the standard in the next three years. Therefore, there are 33 respondents for the purpose of determining the recordkeeping and reporting burden associated with this rule.

2. Need for and Use of the Collection

2(a) Need/Authority for the Collection

The EPA is charged under Section 112 of the Clean Air Act, as Amended, to establish standards of performance for each category or subcategory of major sources and area sources of hazardous air pollutants. These standards are applicable to new or existing sources of hazardous air pollutants and shall require the maximum degree of emission reduction.

In addition, Section 114(a) states that the Administrator may require any owner or operator subject to any requirement of this Act to:

> "(A) Establish and maintain such records; (B) make such reports; (C) install, use, and maintain such monitoring equipment, and use such audit procedures, or methods; (D) sample such emissions (in accordance with such procedures or methods, at such locations, at such intervals, during such periods, and in such manner as the Administrator shall prescribe); (E) keep records on control equipment parameters, production variables or other indirect data when direct monitoring of emissions is impractical; (F) submit compliance certifications in accordance with Section 114(a)(3); and (G) provide such other information as the Administrator may reasonably require."

In the Administrator's judgment, beryllium emissions from extraction plants, ceramic plants, foundries, incinerators, and propellant plants and machine shops which process beryllium ore, beryllium, beryllium oxide, beryllium alloys, or beryllium-containing waste (for machine shops these should have a five percent beryllium by weight) cause or contribute to air pollution that may reasonably be anticipated

to endanger public health or welfare. Therefore, NESHAP standards were promulgated for this source category at 40 CFR Part 61, Subpart C.

2(b) Practical Utility/Users of the Data

The control of emissions of beryllium from extraction plants, ceramic plants, foundries, incinerators, and propellant plants and machine shops (when alloy contains more than five percent beryllium by weight) which process beryllium ore, beryllium, beryllium oxide, beryllium alloys, or beryllium-containing waste requires not only the installation of properly designed equipment, but also the operation and maintenance of that equipment. Emissions of beryllium from the subject stationary sources are the result of operation of processing beryllium ore, beryllium, beryllium oxide, beryllium alloys, or beryllium-containing waste.

These standards rely on individual facilities to ensure that beryllium stack emissions, or local ambient concentrations, do not exceed the established limits. The required notifications are used to inform the Agency or delegated authority when a source becomes subject to the standard. The reviewing authority may then inspect the source to ensure that stack emission or ambient concentration limits are being met. The initial performance test report for stack tests and the request to comply with the ambient beryllium concentration limit in the vicinity of the stationary source supported with 3 years of data, ending 30 days before the effective date of the standard, are needed as these are the Agency's record of a source's initial capability to comply with the emission standard, and serve as a record of the operating conditions under which compliance will be achieved.

The information generated by the monitoring, recordkeeping and reporting requirements described in this ICR is used by the Agency to ensure that facilities affected by the NESHAP continue to operate the control equipment and achieve compliance with the standard. The information collected from recordkeeping and reporting requirements is also used for targeting inspections, and is of sufficient quality to be used as evidence in court.

3. Nonduplication, Consultations, and Other Collection Criteria

The recordkeeping and reporting requested is required under 40 CFR Part 61.

3(a) Nonduplication

If the standard has not been delegated, the information is sent to the appropriate EPA Regional Office. Otherwise, the information is sent directly to the delegated State or Local Agency. If a State or Local Agency has adopted their own similar regulation to implement the Federal Regulation, a copy of the report submitted to the State or Local Agency can be sent to the Administrator in lieu of the report required by the Federal Standard. Therefore, no duplication exists.

3(b) Public Notice Required Prior to ICR Submission to OMB

An announcement of a public comment period for the renewal of this ICR was published in the Federal Register on February 1, 2001.

3(c) Consultations

No comments were received on the burden published in the Federal Register.

3(d) Effects of Less Frequent Collection

Less frequent information collection would decrease the margin of assurance that facilities are continuing to meet the required standards. Requirements for information gathering and recordkeeping are useful techniques to ensure that good operation and maintenance practices are applied and emission limitations are met. If the information required by these standards was collected less frequently, the likelihood of detecting poor operation and maintenance of control equipment and noncompliance would decrease.

3(e) General Guidelines

None of these reporting or recordkeeping requirements violate any of the regulations established by OMB in 5 CFR 1320.6.

3(f) Confidentiality

The required information consists of emissions data and other information that have been determined not to be private. However, any information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B - Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 40000, September 8, 1978; 43 FR 42251, September 20, 1978; 44 FR 17674, March 23, 1979).

3(g) Sensitive Questions

None of the reporting or recordkeeping requirements contain sensitive questions.

4. The Respondents and the Information Requested

4(a) Respondents/SIC Codes

The respondents of the recordkeeping and reporting requirements are described in the following table:

Industry Classification (IC) using SICs	SIC Codes	NAICS Codes	Corresponding IC using NAICs

Industrial Inorganic Chemicals, Not Elsewhere Classified	2819	325188	All Other Basic Inorganic Chemical Manufacturing
Primary Smelting and Refining of Nonferrous Metals, Except Copper and Aluminum	3339	331419	Primary Smelting and Refining of Nonferrous Metal (except Copper and Aluminum)
Non Ferrous Foundaries, Except Aluminum and Copper	3369	331528	Other Nonferrous Foundries (except Die-Casting)
Industrial and Commercial Machinery and Equipment, Not Elsewhere Classified	3599	33271	Machine Shops
Refuse Systems	4953	562211 56292	Hazardous Waste Treatment and Disposal; and Materials Recovery Facilities

4(b) INFORMATION REQUESTED

(i) Data Items

All data in this ICR that is recorded and/or reported is required by 40 CFR Part 61, Subpart C.

A source must make the following reports:

Reports for NESHAP, SUBPART C	
Construction or modification application	61.07
Anticipated startup	61.09(a)(1)
Actual startup	61.09(a)(2)
Initial performance test results	61.13(f), 61.33(d)
Notification of emission tests	61.13(c), 61.33(b)
Notification requesting approval to meet an ambient concentration limit on beryllium in the vicinity of the stationary source (alternative standard)	61.32(b)

Reports for NESHAP, SUBPART C	
Source status report: For facilities complying by ambient monitoring, a monthly report of all measured beryllium concentrations shall be submitted to the Administrator	61.10(a), 61.34 (d)

A source must maintain the following records:

Recordkeeping for NESHAP, SUBPART C	
Startups, shutdowns, malfunctions, periods where the continuous monitoring system is inoperative due to maintenance and calibration, for changing filters, or for replacement equipment needing major repair.	61.34(b)
Emission test results and other data needed to determine emissions	61.13(g),61.34(c)
Records are required to be retained for 2 years.	61.34(c)

ii. Respondent Activities include:

Respondent Activities
Read instructions.
For facilities that have elected to comply with an alternative ambient air quality limit, install, calibrate, maintain, and operate a continuous monitor in the vicinity of the affected facility to measure beryllium concentrations.
For facilities complying by ambient monitoring, perform emission testing to determine berylium emissions to the atmosphere according to Method 104 or Method 103 (an alternative method needing approval) of appendix B to Part 61.
Write the notifications and reports listed above.
Enter information required to be recorded above.
Submit the required reports developing, acquiring, installing, and utilizing technology and systems for the purpose of collecting, validating, and verifying information.

Respondent Activities
Develop, acquire, install, and utilize technology and systems for the purpose of processing and maintaining information.
Develop, acquire, install, and utilize technology and systems for the purpose of disclosing and providing information.
Adjust the existing ways to comply with any previously applicable instructions and requirements.
Train personnel to be able to respond to a collection of information.
Transmit, or otherwise disclose the information.

The owner may retain records on microfilm, on a computer, on computer disks, on magnetic tape, or on microfiche. It may also report using a labeled computer disc using a compatible software**.**

5. The Information Collected -- Agency Activities, Collection Methodology, and Information Management

5(a) Agency Activities

EPA conducts the following activities in connection with the acquisition, analysis, storage, and distribution of the required information.

Agency Activities
Observe emission testings conducted to determine emissions from a source, if complying with the emission limit standard.
Review notifications and reports, including monthly emission test reports, required if source complying with the ambient air emission standard.
Audit facility records.
Input, analyze, and maintain data in the AFS [AIRS (Aerometric Information Retrieval System) Facility Subsystem] database.

5(b) Collection Methodology and Management

Following notification of startup, the reviewing authority might inspect the source to determine whether the pollution control devices are properly installed and operated. Data and records maintained by the respondents are tabulated and published for use in compliance and enforcement programs. The monthly reports, if complying with the ambient concentration limit, and the results of stack tests conducted when an operational change occurs that may cause an increase on beryllium emissions are

used for problem identification, as a check on source operation and maintenance, and for compliance determinations.

Information contained in the reports is entered into AFS which is operated and maintained by EPA's Office of Air Quality Planning and Standards. AFS is EPA's database for the collection, maintenance, and retrieval of compliance and annual emission inventory data for over 100,000 industrial and government-owned facilities. EPA uses AFS for tracking air pollution compliance and enforcement by Local and State regulatory agencies, and EPA Regional Offices and Headquarters. EPA and its delegated Authorities can edit, store, retrieve and analyze the data.

The records required by this regulation must be retained by the owner or operator for two years.

5(c) Small Entity Flexibility

Most of the recordkeeping and reporting activities under this subpart apply to new or modified sources only, and no additional sources are anticipated during the next three years. Consequently, the recordkeeping and reporting burden is quite low, even for small businesses. Only those facilities (approximately 10) that elect to perform ambient air monitoring will have monthly reports to submit.

In general, the recordkeeping and reporting requirements were selected within the context of this specific subpart and the specific process equipment and pollutant(s). The impact on small businesses was accounted for in the regulation development; thus the requirements reflect the burden on small businesses. To the extent that larger businesses can use economies of scale to reduce their burden, the overall burden will be reduced. The Agency considers these requirements the minimum needed to ensure compliance and, therefore, cannot reduce them further for small businesses.

5(d) Collection Schedule

The specific frequency for each information collection activity within this request is shown in Table 2: Industry Burden.

6. Estimating the Burden and Cost of the Collection

Table 2 documents the computation of individual burdens for the recordkeeping and reporting requirements applicable to the industry for the subpart included in this ICR. The individual burdens are expressed under standardized headings believed to be consistent with the concept of burden under the Paperwork Reduction Act. Where appropriate, specific tasks and major assumptions have been identified. Responses to this information collection are mandatory (40 CFR Part 61, Subpart C).

The Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

6(a) Estimating Respondent Burden

The average annual burden to industry over the next three years from these recordkeeping and reporting requirements is estimated at 2,231.6 person-hours. Details upon which this estimate is based appear in Table 2: Industry Burden. These hours are based on Agency studies and background documents from the development of the standards or test methods, Agency knowledge and experience with the NESHAP program, the previously approved ICR, and any comments received.

6(b) Estimating Respondent Costs

(i) Estimating Labor Costs

This ICR uses a technical labor rate of $55.34 per hour. This rate is from the United States Department of Commerce Bureau of Labor Statistics, March 2000, Table 10: Employment Costs for Private Industry by Occupational and Industry Group. The rate is from column 1: Total Compensation. The wage rates have been loaded by adding 110% overhead ($55.34 = $26.35 + 110%). The records and reports required under this subpart are routine, and therefore, entered and/or submitted by plant technicians. The recordkeeping and reporting requirements do not involve clerical or managerial hours.

(ii) Estimating Capital and Operations and Maintenance Costs

The type of industry costs associated with the information collection activity in the standards are labor and continuous ambient monitoring systems. There are no capital start up costs since no new facility is expected to become subject to the standard. The annual operations and maintenance costs are the ongoing costs to maintain the monitors. The total respondent costs are calculated by adding the capital start up costs and the annual operations and maintenance costs.

(iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs

There are no capital start up costs since no new facilities will become subject to the standard over the next three years. This cost is shown on the OMB 83-I form in block 14 letter a: Total annualized capital/startup costs.

The annual operations and maintenance costs are $35,000. These costs are based on the assumption that 10 facilities elected to comply with the ambient air monitoring standard, and will need to operate and maintain an ambient monitor to measure beryllium emissions at a cost of $3,500 a year (See table below for calculation). This cost is shown on the OMB 83-I form in block 14 letter b: Total annual costs (O&M).

As mentioned above, the total respondent costs are calculated by adding the capital start up costs and the annual operations and maintenance costs. Since there are no capital cost, the respondent costs are associated only with the operations and maintenance costs to industry over the next three years of the ICR which is estimated to be $35,000. This cost is shown on the OMB 83-I form in block 14

letter c: Total annualized cost requested.

Capital/Start-up vs. Operating and Maintenance (O&M) Costs			
Continuous Monitoring device	(A) Annual O&M costs ($) for 1 affected facility	(B) # of affected facilities with O&M	Total O&M (AXB)
ambient monitor	$3,500	10	$35,000

6(c) Estimating Agency Burden and Cost

The only Federal costs are user costs associated with analysis of the reported information. Publication and distribution of the information are part of the AIRS program. Examination of records to be maintained by the respondents will occur as part of the periodic inspection of sources, which is part of EPA's overall compliance and enforcement program.

The average annual Federal Government cost during the 3 years of the ICR is estimated to be $8,003. This cost is based on an average labor rate of a GS 10 step 1 employee rate times a 1.6 government benefits multiplication factor to account for overhead expenses for a total of a $28.08 hourly rate. This rate is from OPM's 2001 General Schedule (GS) hourly salary data, excluding locality pay, basic rates, and travel associated with compliance activities. Details upon which this estimate is based appear in Table 1: Agency Burden.

6(d) Estimating the Respondent Universe and Total Burden and Costs

There are 236 sources subject to the standard. However, only 33 sources are respondents since most facilities (i.e., 203 facilities) complied with this standard by conducting a one time stack test. Of the 33 sources, 10 sources are complying with the emission limit standard and 23 are complying with the ambient monitoring standard. We assume that there has been no growth in industry size for the SIC codes affected by the Beryllium NESHAP. This number is shown on the OMB 83-I form in block 13 a. This is the number of existing sources plus the number of new sources anticipated in one year.

The total annual responses is 166. This number is based on the number of reporting occurrences per plant per year times the number of plants per year required to submit such reports. It is shown on the OMB 83-I form in block 13 b. The total annual labor costs are $123,496.7. This number is shown on the OMB 83-I form in block 13 c. Details upon which this estimate is based appear in Table 2: Industry Burden.

The total annual capital and O&M costs to the regulated entity are $35,000 This number is shown on the OMB 83-I form in block 14 c. These costs are detailed in section *6 b (iii) Capital/Start-up vs. Operating and Maintenance (O&M) Costs.*

6(e) Bottom Line Burden Hours And Cost Tables

Refer to the Attachment for Tables 1 and 2.

6(f) Reasons for Change in Burden

There is no increase in burden hours from the most recently approved ICR, however, the cost for recordkeeping and reporting requirements has increase due to an increase in labor rates.

6(g) Burden Statement

Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, Office of Environmental Information (OEI), U.S. Environmental Protection Agency, Mail code 2822, 1200 Pennsylvania Avenue, Washington, D.C. 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB Control Number in any correspondence.

Part B of the Supporting Statement

This part is not applicable because no statistical methods were used in collecting this information.